

## **The EU Law studies in Uzbekistan**

**Khaydarali Yunusov,**

Senior researcher of the Institute of State and Law of the Academy of Sciences of the Republic of Uzbekistan, Docent of UNESCO Chair on International law and human rights of the University of World Economy and Diplomacy, PhD in International Law

E-mail: [yunusovkm@gmail.com](mailto:yunusovkm@gmail.com)

**Abstract.** Over recent years the several aspects of European integration began to arouse a deep academic interest, and this interest is quite versatile. Political, economic, legal, and many other aspects of European integration are being studied under the “European studies” label in the world. It should be noted that the interest is well justified.

Numerous studies in the field of European integration as well as developed curriculum and disciplines, research papers that become more widespread in Uzbekistan and Central Asia, prove it.

Hence the integration processes within the European Union (EU) are the focus of attention, the study of different aspects of the European integration processes and political, economic, and cultural cooperation of the Republic of Uzbekistan with the EU, to investigate the EU energy policy, how to export to the common European market, cooperation in the field of education, in ecological security, legal approximation and other subjects may be defined as priorities of research activities in Uzbekistan.

The EU studies is not a new direction of research and teaching activities in Uzbekistan at all. The first research attempts date back to the middle of the 90s of the last century. Nowadays the Uzbek universities such as the University of World Economy and Diplomacy, Westminster International University in Tashkent, and Tashkent State University of Law offer dozens of EU-related courses.

This article is dedicated to the current state of EU law studies in Uzbekistan. The author tries to explain the importance of EU law education and outlines the challenges that EU law education faces in Uzbekistan. Practical recommendations are given in the conclusion on the further development of EU law education in the country.

**Keywords:** European studies, EU law, European integration, institutional and disciplinary fragmentation, legal system, comparative law.

**Introduction.** The legal system of the Republic of Uzbekistan can be defined as transnational, transformed from a socialist to purely Romano-Germanic type system based on market economy orientation. At the same time, it can display certain traits that reflect the national and common-Islamic legal traditions. Certainly, lifestyle and mentality, customs and national traditions of Uzbek people considerably affected the

processes of the evolution and development of the national legal system over the centuries<sup>1</sup>.

The newly elected President of Uzbekistan introduces the principle of openness in foreign policy, guiding the country towards deeper cooperation and integration at regional and international levels. It is impossible to reach this goal without legal reforms and education that play a vital role in gradual development of legislation and integration of new-born state into global system. All these require learning foreign legal experience with a view to make legal reforms effective and to reach the extensive renewal of national legislation. To this end, outstanding scholars and higher educational institutions of Uzbekistan started to investigate existing theoretical and practical legal experiences of advanced foreign countries considering local realities and policy related implication for Uzbekistan. All these learning activities lead consequently to the development of comparative law in the country. In particular, various research centres for foreign legal studies, including EU Law, Japan Law, German Law, French Law, are being established at the universities of Uzbekistan, new teaching courses are introduced into curriculum of the Uzbek universities. Among them the European Union Law can be outlined as a best experience.

“EU Law” as a legal discipline is central component of the European studies. According to commonly accepted definition, “European studies” is a field of study that focuses on current developments in European integration including, in a broader sense, a combination of political science, the EU public policy, history, EU law, economics, sociology, the EU foreign relations, sometimes, European culture and languages. Among them EU Law plays a leading role as the European Union itself cannot stand without legal foundations. This discipline often covers national topics in a comparative perspective as well.

Over recent years the several aspects of European integration began to arouse a deep research interest, and this interest is quite versatile. Political, economic, legal and many other aspects of European integration are being studied under “European studies” label in the world. It should be noted that the interest is well justified. Numerous studies in the field of European integration as well as developed curriculum and disciplines, research papers that become more widespread in Uzbekistan, prove it.

Why the EU studies is such important for the most populated country (more than 35 mln. habitants) of Central Asia located far away from the European Union? Unsurprisingly, one could wonder whether it is useful to develop the EU legal studies in Uzbekistan. Certainly, it is useful for two main reasons.

First, for those who will be involved in their professional career in exchanges with the EU and its Member States, it is necessary to know the rules of the European Single

---

<sup>1</sup> Khaydarali Yunusov, Olimjon Sobir. The Development of Legal Systems of Central Asian States. *Studii Europene*, 2, 23-34. [https://www.ssoar.info/ssoar/bitstream/handle/document/41303/ssoar-studeuropene-2014-2-yunusov\\_khaydarali-The\\_Development\\_of\\_Legal\\_Systems.pdf?sequence=1&isAllowed=y&lnkname=ssoar-studeuropene-2014-2-yunusov\\_khaydarali-The\\_Development\\_of\\_Legal\\_Systems.pdf](https://www.ssoar.info/ssoar/bitstream/handle/document/41303/ssoar-studeuropene-2014-2-yunusov_khaydarali-The_Development_of_Legal_Systems.pdf?sequence=1&isAllowed=y&lnkname=ssoar-studeuropene-2014-2-yunusov_khaydarali-The_Development_of_Legal_Systems.pdf)

10.5281/zenodo.5703232

ISSN 2521-3261 (Online)/ ISSN 2521-3253 (Print)

DOI 10.37057/2521-3261 <https://journalofresearch.eu/16>

Market and the decision-making processes, and not only rules on relationships with third countries. Only if you understand the decision-making processes you can have an influence on the final decisions that are relevant for you. This is of vital importance since the EU is one of the economically most advanced regions of the world and an extremely important trading partner. This argument directly concerns the EU-Uzbekistan relationships.

Secondly, the European Union is also a historically unique model for the integration of national economies into a single market based on the principles of democracy and the rule of law. Being the most sophisticated regional integration system, the EU offers a rich experience from custom union to political integration. Studying this experience will be helpful to create legal foundations and find out adequate forms of institutional cooperation in Central Asia.

That is why, the importance of the EU studies cannot be overestimated within as well as outside the European Union. Different aspects of the EU studies and EU Law should therefore be studied everywhere.

Within the first argument, the relations between the EU and Uzbekistan fall under the scope of European studies. The EU relations with Uzbekistan appear in two formats: interregional (the European Union and Central Asia) and bilateral format (the European Union and Uzbekistan). Both formats of mutual relations have positive and negative aspects. These relations have significantly developed and revealed closeness of values, economic and security interests. The growing dynamics of bilateral relations also confirmed that there is a significant potential for strategic cooperation between parties. Particularly, many challenges facing the globalized world affect Europe and Central Asia alike, and warrant a common response. Security questions and regional economic development require close cooperation of the EU with Uzbekistan, taking into account its geographical location, in particular with respect to Afghanistan. This applies to developments in the areas of border management, migration, the fight against organized crime and international terrorism, as well as human, drugs, and arms trafficking.

However, EU-Uzbekistan relationship has not reached its peak yet. Within the framework of current relationships there are many unutilized spaces. Prospects of the future cooperation will depend on the effective utilization of those empty spaces. Unfortunately, over the past years, the number of opportunities were missed in bilateral relations also. One of the main reasons for this is that, from the scientific perspectives, the problems, development trends and prospects of mutual relations were not studied well. In Europe, the research and institutions of Central Asia are poorly developed, and in Central Asia, particularly in Uzbekistan, the European research field was underdeveloped until recent years.

In fact, the situation of European studies in Uzbekistan faces challenges on different types. These include institutional and disciplinary fragmentation of European studies in

Central Asia<sup>2</sup> including Uzbekistan; risk of financial dependency of EU funding programs; lack of cooperation between researchers of European integration in Uzbekistan; researchers' insufficient proficiency in European languages; insufficient familiarity with EU funding schemes and procedures for research, teaching and dissemination activities; methodological weaknesses of local researchers while doing research on European studies compared to those researchers in Europe. Not least, Uzbek researchers don't speak in the same scientific languages as their European fellows usually do.

Among them, institutional and disciplinary fragmentation of European studies in our country is of crucial challenge to be addressed. Institutionally, specialized research centers or educational institutions, academic networks or associations linking researchers on European studies are virtually non-existent. Academic connectivity across the country is still insufficient.

As to disciplinary fragmentation, European studies is not yet a separate academic research field of study in Uzbekistan, and in Central Asia as a whole. "European studies" is not a fully established research discipline at the universities and research institutes, due to disciplinary and theoretical plurality. It is to say that EU studies is dispersed and absorbed by other established disciplines. For example, "EU Law" is a part of International Law, "the EU Economy" sits within "World Economics etc. Therefore, research activities are highly fragmented. It is largely a multi-disciplinary field of study, which lacks a shared theoretical approach or methodology. In order to develop a common research field, researchers must employ interdisciplinary competences to better understand their colleagues working on the same field and to facilitate cooperation across disciplinary boundaries. Furthermore, a continuation and intensification of ongoing networking initiatives is needed. This institutional and disciplinary fragmentation of European studies research in Uzbekistan is a major challenge similar to the situation of Central Asian studies in Europe<sup>3</sup>. In order to improve research cooperation, the discipline needs to be strengthened and cooperation deepened among Uzbek institutions and scholars. Newly established Jean Monnet Center of Excellence for European studies in Tashkent (2021) intends to fill the gap in this area, studies the EU and Uzbekistan relations, and tries to come up with possible prognosis.

Within the scope of second argument, EU studies are inextricably linked with comparative regionalism and comparative regional integration studies. With that being

---

<sup>2</sup> Agenda for Future Research Cooperation. Deliverable D1.3 SEnECA. Main editors: Julian Plottka and Ekaterina Smirnova, Institut für Europäische Politik (Germany) P.6: [https://www.seneca-eu.net/wp-content/uploads/2019/12/SEnECA\\_D1.3\\_Research-Agenda\\_v1.0\\_2019.pdf](https://www.seneca-eu.net/wp-content/uploads/2019/12/SEnECA_D1.3_Research-Agenda_v1.0_2019.pdf)

<sup>3</sup> Agenda for Future Research Cooperation. Deliverable D1.3 SEnECA. Main editors: Julian Plottka and Ekaterina Smirnova, Institut für Europäische Politik (Germany) P.7: [https://www.seneca-eu.net/wp-content/uploads/2019/12/SEnECA\\_D1.3\\_Research-Agenda\\_v1.0\\_2019.pdf](https://www.seneca-eu.net/wp-content/uploads/2019/12/SEnECA_D1.3_Research-Agenda_v1.0_2019.pdf)

said, the study of European integration becomes even more important once it is learned comparatively. In that sense, European integration can act as a role of successful integration model. European integration experience will come “handy” when it comes to the study of the stages, forms and basic rules of the integration process itself.

The advantages and disadvantages of European integration can be more apparent when it is compared to other regional integration processes. It is likely that the best practices of regional integration processes will be applied to regionalization process of Central Asia in the future. However, best practices can achieve the expected results only when they are implemented with the right methods. Otherwise, the worst possible outcome can be occurred even from the best experience. With that being said, the importance of the scientific and methodological approach to the issue is emphasized here. European studies do cover these important methodological issues, and it is all about strategic importance for the future of Uzbekistan and Central Asia.

Moreover, European experience is necessary in securing protection of national interests and working out the national positions and policies. This experience has much more actuality for Uzbekistan than ever before. This is because Uzbekistan is addressing the issue of joining the Eurasian Economic Union and the World Trade Organization. In this regard, the task of elaboration of national policy on this issue is at the State policy agenda. The question raised today is how should Uzbekistan's involvement be in this process and other economic integration processes, in what level and to what extent? What is the acceptable formula for assessing the impact of these processes on the lives of different social groups of society? The answers can only be found through research, teaching and debate activities focusing on European experiences again.

In its essence, European studies represent a spectacular amalgam of education and research. Neither practitioners nor scientific researchers can be prepared and trained without education in the form of simple teaching and training, at least. In this sense, the first step of European studies is to teach EU related courses.

The Uzbek universities such as the University of World Economy and Diplomacy, Westminster International University in Tashkent and Tashkent State University of Law offer dozens of EU related courses. It should be noted that the main of these courses have been introduced into teaching process with the help and financial support of the European Union Erasmus projects. For example, the University of World Economy and Diplomacy has successfully implemented basic course “European Union Law” within Jean Monnet Teaching module during 2011-2014 and interdisciplinary “EU Law and Politics” within Jean Monnet Chair action during 2016-2019. Importantly, these courses are being taught by local experts who have educational background from Europe with graduation of European universities. These courses have been enjoying popularity so far and are still of great interests of students. Starting 2020-2021 academic year, a new “EU Law” discipline is taught for the students Tashkent State University of Law. This course will cover the sources of the European Union Law such as establishing treaties,

amending treaties including Lisbon treaty, EU legislation acts as well as jurisprudence of the European Court of Justice. General issues of integration, forms and stages of integration, historical and ideological bases of the European Union integration, institutional structure and the activities of main bodies of the Union will be explained in detail. Particular attention will be given to the role that is played by the European Parliament and national parliaments in decision-making process.

As far as teaching methodology is concerned, it is worthy to note that EU Law courses have been taught at more than 2000 university worldwide including American and Asian universities alongside the European ones. Different methods are being used at those universities. Especially, the methodology at non-EU countries differs significantly. However, it is not surprising that in choosing the methods the auditorium interests, level of knowledge and the practical significance of the course are taken into consideration. Despite this, the international academic cooperation of Uzbek teachers with European colleagues plays important role in adequate teaching methods development.

The European studies and EU integration are not only the educational and research subjects. Any regional integration is a question of the fate of ordinary people and nations. Ordinary people have the right to be aware of these processes because they are the main driving force of any process. The needs of these people for the awareness in this area must be considered. A growing interest in regional integration processes and in the daily life of European people living in the united family is widespread throughout the world, including in Uzbekistan. Following the recent enlargement of the European Union, Uzbekistan has become a “neighbor of neighbors” of the European Union. In other words, the EU became closer to Uzbekistan in terms of geographic dimension reducing physical distance between them. The “European standards” have become daily etalon for ordinary people in all areas in most populated country of Central Asian region. At the same time, there is a big problem in the terms of awareness-raising information dissemination for the high-level interest of ordinary people regarding the European processes. First, analytical materials are lacking, and secondly, the methods of dissemination activities are incomplete. Accurate and complete information can be easily “digested” by the recipient only when it is based on scientific research and open debates. The results of scientific research should not be left unchecked by academic walls. They must reach the consumer through regular publications.

Therefore, the EU legal education should combine the three type of activities in the field of EU studies: teaching, research and awareness raising dissemination through open public debates and publications. It must offer a new, more institutionalized, centralized and specialized form of European studies for the Uzbek academic world. It should gather local key experts in the field of EU legal studies around itself and unites their scientific efforts directing all activities of Uzbek scientists toward a common goal.

To sum up, one of the leading factors that can affect the development of legal systems of Uzbekistan is the implementation of advanced foreign legal experiences,

which can play a crucial role in the unification of various spheres of law. Therefore, the use of advanced European experiences can serve to approximate legal systems of the EU, Member states and Uzbekistan and, at the same time, could be the impetus for the development of comparative law in our country.